
Appeal Decision

Site visit made on 5 September 2022

by E Dade BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 September 2022

Appeal Ref: APP/P5870/W/21/3286357

4 Coleridge Avenue, Sutton, SM1 3RQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Joe Teakle against the decision of the Council of the London Borough of Sutton.
 - The application Ref DM2021/01504, dated 10 July 2021, was refused by notice dated 22 October 2021.
 - The development proposed is the construction of two small semi-detached dwellings, two-storey, two bedrooms each, to the side of the existing dwelling at number 4 Coleridge Avenue.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - the effects of the development on the character and appearance of the area;
 - whether satisfactory living conditions would be provided for future occupiers of the proposed development, with regard to outdoor amenity space; and
 - whether the proposed development provides an appropriate housing mix.

Reasons

Character and appearance

3. The appeal site includes No 4 Coleridge Avenue, which is an attractive, symmetrical, detached house with tall chimneys and a hipped roof. The proposed new dwellings would be sited within an area of the garden which is presently enclosed by tall fences.
4. Coleridge Avenue is a quiet, pleasant, suburban street, lined with small trees. The appeal site side of the street consists of well-spaced detached and semi-detached dwellings which are broadly similar in style and appearance to No 4. The use of white render and uniformity of roof and building lines, with dwellings set back from the highway, creates a sense of order which contributes positively to the character of the area. Features such as hipped dormers, porches, bay windows and front gables purvey a traditional character and contribute visual interest to the street scene.
5. The proposed dwellings are modern, asymmetrical, and geometric in form and would use contrasting materials, appearing out-of-keeping and unrelated to the

area's more traditional character. The scheme's design would therefore detract from the character and appearance of the area.

6. The appeal site occupies a prominent location at the end of the row which is particularly visible when approaching from the junction with Westmead Road. The proposed dwellings would sit forward of the existing building line, and the flat façade would appear tall and imposing. Through infilling most of the width of No 4's side garden, the proposed development would appear tightly packed within the site. For these reasons, the proposed development would appear dominant and incongruous within the street-scene, resulting in material harm to the character and appearance of the area.
7. The proposal would therefore conflict with Policy 13 and Policy 28 of the Sutton Local Plan 2018 (SLP) which require new developments to make an important contribution to the character and appearance of the surrounding area and respect local context.
8. In addition, the proposal would not accord with the design guidance set out in the Creating Locally Distinctive Places Supplementary Planning Document (2008) (SPD), particularly Design Principle 1 which seeks to ensure that development respects the positive features of Sutton's suburban character.

Living conditions

9. The SPD requires 2-bed dwellings to provide a minimum of 40sqm of accessible private garden space. As indicated in the Design & Access Statement, each dwelling would have rear garden space of less than 40 sqm. Additional space would be provided at the front of each dwelling, providing on-plot parking, and cycle and bin storage. Due to its proximity to the public highway, I do not consider this area to constitute 'private' garden space. Therefore, the proposal does not satisfy the SPD's minimum standard for private garden space.
10. Moreover, the site's diagonal rear boundary along with the stepped floorplan of the proposed dwellings would create irregular shaped rear gardens, adversely affecting the quality and usability of the garden space. Consequently, the proposed development would not provide appropriate living conditions for future occupiers, with regard to amenity space, and as such is contrary to Policy 9 of the SLP which requires new development to provide an adequate amount of private amenity space.
11. I note the appellant's comments that there are public open spaces within 5-minute and 10-minute walking distances of the appeal site. However, those open spaces serve differing functions and would not compensate for inadequate provision of private amenity space.

Housing mix

12. The proposed development would provide two new two-bedroom dwellings. SLP Policy 9 requires 50% of new dwellings at sites outside of Sutton Town Centre to have three bedrooms or more, unless it can be demonstrated that this would be unsuitable to the location or not viable.
13. The appellant indicates that a larger unit could not be accommodated within the appeal site. Whilst this highlights the constrained nature of the appeal site, it does not mean that three-bedroom units are not suitable in this location which is characterised by larger family homes. Whilst a detailed viability

assessment may be unnecessary for a scheme of this size, no evidence has been submitted to demonstrate a three-bedroom dwelling would not be viable.

14. Since the proposal would not provide a mix of house sizes and does not adequately demonstrate that providing a mix would be unsuitable or unviable, the proposal is contrary to SLP Policy 9 as set out above.

Other Matters

15. The proposal has been designed to achieve a high standard of environmental sustainability through a 'carbon negative design'. Whilst this aspiration is laudable given the present climate crisis, it does not obviate the requirements of the development plan nor outweigh the harm I have identified in respect of character and appearance, living conditions and housing mix when considered in the context of the development plan.
16. The National Planning Policy Framework (the Framework) indicates that planning decisions should contribute to meeting the housing requirement of an area through supporting the development of housing at suitable small-sized 'windfall' sites. Whilst the appeal site is small, the proposed development is not suitable due to the conflicts with the development plan which I have identified above.
17. The appellant submits that the Council's five-year land supply assessment published on its website is not up to date. However, no substantive evidence has been provided to suggest that the Council cannot demonstrate a five-year supply of housing land.

Conclusion

18. For the reasons given above, having assessed the case against the development plan as a whole and having had regard to all other relevant material considerations, I conclude that the appeal should be dismissed.

E Dade

INSPECTOR